IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

PRESENT

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No.21107 of 1994

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Date: 07.10.2005

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Between:

1 Vasamsetti Venkata Lakshmi and 15 others.

..... PETITIONERS

AND

1 The Mandal Revenue Officer, Samalkot Mandal, E.G. District and three others.

.....RESPONDENTS

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THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No.21107 of 1994

O R D E R:

This writ petition is filed questioning the orders dated 01.12.1989 passed by the Mandal Revenue Officer, Samalkot Mandal, East Godavari District, in exercise of powers conferred under the provisions of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act 9/1977).

It is the case of the petitioners that they have purchased the land in question bonafidely from the original assignees. But, however, it is to be seen that as per the provisions of the Act and as against the order of the Mandal Revenue Officer, Samalkot Mandal, East Godavari District, dated 01.12.1989, there is a statutory remedy provided by way of an appeal. There is no special reason to bypass the said remedy of appeal and to entertain this writ petition.

In that view of the matter, I dispose of the writ petition permitting the petitioners to prefer an appeal, within a period of six weeks from today. If such an appeal is preferred, the appellate authority shall consider the same, without reference to period of limitation and dispose of the same on merits.

This Court, at the stage of admission, passed interim orders. It is stated that the petitioners are in possession of the property in question. In that view of the matter, status quo, obtaining as on today, shall continue for a period of six weeks. However, it is open for the petitioners to seek appropriate interim orders from the appellate authority.

It is also made clear that, if no such appeal is preferred, within the time stipulated above, it is open for the respondents to enforce the impugned order by taking appropriate steps.

The writ petition is accordingly disposed of. No order as to costs.

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(R. Subhash Reddy, J)

Date: 07.10.2005

Note: Furnish CC in 3 days

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